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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00248 DAE
)	
Plaintiff,)	
)	
vs.)	GOVERNMENT'S MEMORANDUM IN
)	OPPOSITION TO THE DEFENDANT'S
)	MOTION TO CONTINUE SENTENCING;
SAMUEL KAAUWAI,)	CERTIFICATE OF SERVICE
)	
Defendant.)	
_____)	

GOVERNMENT'S MEMORANDUM IN OPPOSITION TO THE
DEFENDANT'S MOTION TO CONTINUE SENTENCING

On September 28, 2006, the defendant filed a motion to continue sentencing. Sentencing is presently set for October 16, 2006. The basis for the motion is that the defendant's new counsel needs more time to familiarize himself with the case.

The government is adamantly opposed to any further delays in this case. The government believes that the defendant has manipulated the court and the government in seeking one delay

after another. The defendant pleaded guilty on October 17, 2003, almost exactly three years ago. The presentence report has been prepared and filed. The defendant's counsel can familiarize himself by reading the presentence report and by talking with the defendant's two prior lawyers. There has to come a time when this case is finally concluded and the government believes that there is no time like the present. The government, therefore, opposes the motion to continue the defendant's sentencing.

DATED: October 5, 2006, at Honolulu, Hawaii.

Respectfully submitted,

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Marshall H. Silverberg
MARSHALL H. SILVERBERG
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF

CLAYTON K. KIMOTO, ESQ. ckimoto@hawaii.rr.com October 5, 2006

Attorney for Defendant SAMUEL KAAUWAI

Served by Hand-Delivery:

Neil W. Tsukayama October 5, 2006
U. S. PROBATION OFFICE
U.S. Courthouse, Room 2-215
300 Ala Moana Boulevard
Honolulu, HI 96850

DATED: October 5, 2006, at Honolulu, Hawaii.

/s/ Shelli Ann H. Mizukami